## APPENDIX A

[caption]

At a Court of Appeals for the State of New York, held at Court of Appeals Hall in the City of Albany on the third day of March A.D. 1960.

Motions having heretofore been made upon the part of the respondents to dismiss the appeals taken by the appellant in Action No. 1 to this Court and after having heard Robert E. Lawther, Esq., and Denis G. McInerney, Esq., in support of said motions and George J. Schaefer, Esq., in oppositon thereto and due deliberation having been thereupon had, it is

ORDERED, that the said motion be and the same hereby is granted and the appeals dismissed upon the ground that no substantial constitutional question is directly involved.

/s/ Gearon Kimball
*Deputy Clerk*

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## APPENDIX B

At a Court of Appeals for the State of New York, held at Court of Appeals Hall in the City of Albany on the thirtieth day of December A.D. 1959.

[caption]

A motion for leave to appeal to the Court of Appeals in the above cause having been heretofore made upon the part of the appellant in Action No. 1 and papers having been duly submitted thereon and due deliberation thereupon had:

ORDERED, that the said motion be and the same hereby is denied with ten dollars cost and necessary printing disbursements.

/s/ Gearon Kimball
*Deputy Clerk*

## APPENDIX C

At a Term of the Appellate Division of the Supreme Court of the State of New York held in and for the Second Judicial Department at the Borough of Brooklyn, on the 28th day of July, 1959.

[caption]

The above named Michael P. Grace, II, individually and as Trustee under the Last Will and Testament of Janet Grace, deceased, the plaintiff in the above entitled Action No. 1, and the above named Corinne Grace, as Guardian ad Litem for Michael P. Grace, Jr., an infant, the plaintiff in the above entitled Action No. 2 of these consolidated actions, having appealed to the Appellate Division of the Supreme Court from a judgment of the Supreme Court entered in the office of the Clerk of the County of Nassau on the 3rd day of April, 1958, after trial before the court without a jury (1) declaring a contract of sale dated May 6, 1955 to be valid; (2) dismissing, upon the merits, the complaints of both said plaintiffs, and (3) directing specific performance of the contract, and the said appeals having been argued by Mr. James E. Birdsall, of counsel for appellant Michael P. Grace, II, individually and as Trustee, etc. in Action No. 1; and submitted by Mr. John P. Boland, respondent, Guardian ad Litem for Janet Maureen Grace in Action No. 1; and argued by Mr. Robert E. Lawther, of counsel for respondent Grace National Bank as Committee of Janet Maureen Grace in Action No. 1; and argued by Mr. Denis G. McInerney, of counsel for respondents Charles MacDonald Grace and Joseph P. Grace, Jr., individually and as Trustees, etc. in Action No. 1; and argued by Mr. George J. Schafer, of counsel for appellant Corinne Grace, as Guardian ad Litem for Michael P. Grace, Jr., an infant, in Action No. 2; and argued by Mr. Arthur Mermin, of counsel for respondents Joseph P. Grace, Jr. and Charles MacDonald Grace, as Trustees, etc. in action No. 2; and

argued by Mr. Charles F. McGuire, of counsel for respondent Real Property Owners, Inc. in Action No. 2, and due deliberation having been had thereon; and upon the opinion and decision slip of the court herein, heretofore filed:

It is Ordered and Adjudged that the judgment so appealed from be and the same hereby is unanimously affirmed, with costs to all respondents filing briefs, payable personally by the appellant in Action No. 1.

Enter,

JOHN J. CALLAHAN,
*Clerk.*